

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CARL CHESTER,

Defendant.

2:06-cr-00309-RCJ-PAL-1

**ORDER**

In December 2007, a jury convicted Defendant Carl Chester of three counts of possession of a controlled substance with intent to distribute. The Court sentenced Defendant to 264 months of imprisonment, to be followed by five years of supervised release. Defendant appealed, and the Court of Appeals affirmed in March 2009. Defendant later successfully moved in state court to have a state criminal judgment against him amended. Defendant filed a habeas corpus motion in this Court pursuant to 28 U.S.C. § 2255, arguing, *inter alia*, that he should be resentenced, because the original sentencing was based on a career offender finding that could not be supported in light of the correction to the state court judgment. In October 2011, the Court granted the motion as to resentencing but denied the motion as to the claims of ineffective assistance of counsel and prosecutorial misconduct. In March 2012, the Court resentenced Defendant to 168 months of imprisonment, to be followed by five years of supervised release. Defendant appealed, and the Court of Appeals affirmed in August 2013.

Defendant has now filed a successive § 2255 motion and several related motions. The Court denies the motions. Defendant must petition the Court of Appeals for permission to file a

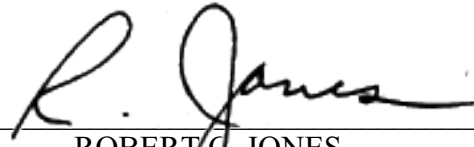
1 successive motion under § 2255. *See* 28 U.S.C. § 2255(h).

2 **CONCLUSION**

3 IT IS HEREBY ORDERED that the Motions (ECF Nos. 248, 249, 252, 253, 254, 258)  
4 are DENIED.

5 IT IS SO ORDERED.

6 Dated this 17<sup>th</sup> day of April, 2014.

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9 ROBERT C. JONES  
10 United States District Judge  
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